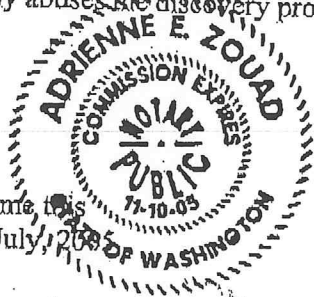




company wrongdoing.

- 9) One example of bad faith occurred when Swift represented in discovery responses that the defendant truck driver's trainer was Mr. Santana-Herrera when in actuality and to their knowledge the driver trainer was Mr. Hernandez.
- 10) Another example of Swift's bad faith is their continual refusal to schedule and participate in depositions of Swift employees. Swift consistently moves to quash depositions of witnesses who have any knowledge of the accident, investigation, claims procedures, training, or other relevant issues.
- 11) In my 39 years of practicing law, I have never come across a company that so willfully and flagrantly abuses the discovery process as does Swift and their attorneys.

*[Signature]*  
 SWORN TO before me, this  
 13 day of July, 2005



Adrienne Zouad  
 Notary Public for Washington  
 My Commission expires: 7/10/05

*[Signature]*  
 Lembhard G. Howell, Esq.  
 Law Offices of Lembhard G. Howell P.S.  
 720 Third Ave, Suite 2105  
 Seattle, WA. 98104